

COPY

1 Bruce B. Brunda (SBN 28,497)
2 Kit M. Stetina (SBN 82,977)
3 Stephen Z. Vegh (SBN 174,713)
4 STETINA BRUNDA GARRED & BRUCKER
5 75 Enterprise, Suite 250
6 Aliso Viejo, CA 92656
7 Email: litigate@stetinalaw.com
8 Tel: (949) 855-1246
9 Fax: (949) 855-6371

10 Attorneys for Plaintiff
11 INNOVA ELECTRONICS CORP.

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE CENTRAL DISTRICT OF CALIFORNIA

15 INNOVA ELECTRONICS CORP., a
16 Nevada corporation

17 Plaintiff

18 vs.

19 LAUNCH TECHNOLOGY CO., LTD, a
20 Guangdong, China limited liability
21 company; and

22 LAUNCH TECH, USA, a California
23 corporation; and DOES 1-10, inclusive

24 Defendants

Case No. CV 11-05525 DSF (JCx)

COMPLAINT FOR PATENT
INFRINGEMENT OF U.S.
PATENT NO:RE40,799

DEMAND FOR JURY TRIAL

25 **COMPLAINT**

26 Plaintiff, Innova Electronics Corp. for its Complaint against Launch
27 Technology Co., Ltd and Launch Tech, USA, states and alleges as follows:
28

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CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
SANTA ANA

FILED

JURISDICTION AND VENUE

1
2 1. This action, as hereinafter more fully appears, arises under the patent
3 laws of the United States of America (35 U.S.C. §§1 *et seq.*), and is for patent
4 infringement. Jurisdiction for all counts is based upon 28 U.S.C. §§1331, 1338(a)
5 and (b).

6 2. Venue is proper under 28 U.S.C. §§1391(a) and (b) as Defendants reside
7 in this judicial district and have committed acts of infringement in this judicial
8 district.

PARTIES

9
10 3. Plaintiff, Innova Electronics Corp., (hereinafter "Innova" or "Plaintiff" is
11 a corporation organized and existing under the laws of the State of Nevada, and
12 having a principal place of business at 17291 Mt. Hermann Street, Fountain Valley,
13 California, 92708.

14 4. Upon information and belief, Defendant Launch Technology Co., Ltd,
15 (hereinafter "Launch China") is a limited liability company organized and existing
16 under the laws of the country of China, having a principal place of business at
17 Xinyang Building, Bagua No. 4 Rd., Futian District, Shenzhen, Guangdong, 518029,
18 China.

19 5. Upon information and belief, Defendant Launch Tech USA (hereinafter
20 "Launch USA") is a company organized and existing under the laws of the State of
21 California, having a principal place of business at 1820 South Milliken Ave., Ontario,
22 California, 91761.

23 6. Upon information and belief, Launch China and Launch USA are under
24 common ownership and control.

25 7. Upon information and belief, Launch USA distributes products of
26 Launch China, in the United States.

27 8. The true names and capacities of the Defendants named herein as DOES
28 1 through 10, whether individual, corporate, associate, or otherwise, are unknown to

STETINA BRUNDA GARRED & BRUCKER

75 ENTERPRISE, SUITE 250

ALISO VIEJO, CALIFORNIA 92656

PHONE: (949) 855-1246; FACSIMILE: (949) 855-6371

1 Plaintiff, who therefore sues said Defendants by said fictitious names. Plaintiff is
2 informed and believes, and thereon alleges, that each of the Defendants designated
3 herein as DOE is legally responsible for the events and happenings hereinafter
4 alleged and legally caused injury and damages proximately thereby to Plaintiff as
5 herein alleged. Plaintiff will seek leave to amend the Complaint when the true names
6 and capacities of said DOE Defendants have been ascertained. Launch China and
7 Launch USA and DOES 1 through 10 are hereinafter collectively referred to as
8 "Defendants."

9 9. Plaintiff is informed and believes, and on that basis alleges, that each of
10 the Defendants participated in and is in some manner responsible for the acts
11 described in this Complaint and any damages resulting therefrom.

12 10. Plaintiff is informed and believes, and on that basis alleges, that each of
13 the Defendants has acted in concert and participation with each other concerning each
14 of the claims in this Complaint.

15 11. Plaintiff is informed and believes, and on that basis alleges, that each of
16 the Defendants were empowered to act as the agent, servant and/or employees of each
17 of the other Defendants, and that all the acts alleged to have been done by each of
18 them were authorized, approved and/or ratified by each of the other Defendants.

19 **BACKGROUND OF THE CONTROVERSY**

20 12. Plaintiff is the owner of United States Design Patent No. RE40,799. A
21 copy of said patent is attached hereto as **Exhibit 1**.

22 13. Upon information and belief, Defendants have been making, selling,
23 using, importing and/or offering for sale the product identified as the "CReader
24 Diagnostic Scan Tool". A copy of materials illustrating or referring to Defendants'
25 CReader Diagnostic Scan Tool (hereinafter "the Accused Product") is attached hereto
26 as **Exhibit 2**.

FIRST CLAIM FOR RELIEF

(Patent Infringement of U.S. Design Patent No. RE40,799)

14. Plaintiff realleges and repeats the allegations of paragraphs 1-13 above.

15. Plaintiff is the owner of all right, title and interest in and to United States Design Patent No. RE40,799 entitled "Method and System for Computer Network Implemented Vehicle Diagnostics" (hereinafter "the '799 patent"). The '799 patent was duly and lawfully issued on June 23, 2009 and is presently valid and in full effect.

16. Upon information and belief, one or more of Defendants was aware of the '799 patent prior to commencing sales of the Accused Product in the United States.

17. Upon information and belief, Defendants have been and are infringing the '799 patent within this district and elsewhere in the United States by making, using, selling, importing, distributing and/or offering for sale products, including the Accused Product, that infringe one or more of the claims of the '799 patent.

18. Upon information and belief, Defendants are contributorily infringing the '799 patent within this district and elsewhere in the United States by making, using, selling, importing, distributing or offering for sale in the United States materials and/or apparatus, including the Accused Product, for use in practicing the inventions set forth in the '799 patent, that Defendants know to be especially made or especially adapted for use in infringement of the invention embodied in the '799 patent. Upon information and belief, these materials and/or apparatus have no substantial non-infringing use in commerce.

19. Upon information and belief, Defendants are inducing infringement of the '799 patent within this district and elsewhere in the United States by instructing in the use of materials and/or apparatus, including the Accused Product, that infringe one or more of the claims of the '799 patent.

20. The Accused Product is an automotive code reader for diagnosing a

STETINA BRUNDA GARRED & BRUCKER

75 ENTERPRISE, SUITE 250

ALISO VIEJO, CALIFORNIA 92656

PHONE: (949) 855-1246, FACSIMILE: (949) 855-8371

1 vehicle having an onboard computer for generating diagnostic trouble code signals,
2 the diagnostic trouble code signals being related to a vehicle status.

3 21. The Accused Product includes a connector for connecting to the vehicle
4 onboard computer.

5 22. The Accused Product includes an internal microprocessor in electrical
6 communication with the connector, for determining the presence of diagnostic trouble
7 code signals, the diagnostic trouble code signals being indicative of either a passed or
8 problem status of the vehicle.

9 23. The Accused Product includes a plurality of indicator lights in electrical
10 communication with the microprocessor, the microprocessor being operative to
11 selectively illuminate a first indicator light in response to receipt of diagnostic trouble
12 code signals from the onboard computer, a second indicator light in response to a
13 determination that no diagnostic code signals were received from the onboard
14 computer, and a third indicator light in response to an inability to conclusively
15 determine presence or absence of diagnostic trouble code signals in the onboard
16 computer.

17 24. In the Accused Product, the selective illumination of one of the indicator
18 lights proceeds independent of user interaction with a visual interface.

19 25. In the Accused Product, the selective illumination of one of the indicator
20 lights proceeds upon connecting the Accused Product to the vehicle diagnostic port,
21 and pressing the enter key on the Accused Product.

22 26. In the Accused Product, the selective illumination of one of the indicator
23 lights requires only that the Accused Product be connected to the vehicle diagnostic
24 port, and pressing the enter key on the Accused Product.

25 27. In the Accused Product, the selective illumination of an indicator light
26 proceeds independent of resources external to the Accused Product.

27 28. In the Accused Product, selective illumination of an indicator light
28 proceeds independent of any vehicle specific identification by a user.

STETINA BRUNDA GARRED & BRUCKER
75 ENTERPRISE, SUITE 250
ALISO VIEJO, CALIFORNIA 92656
PHONE: (949) 855-1246; FACSIMILE: (949) 855-6371

1 29. In the Accused Product, the selective illumination of an indicator light
2 proceeds independent of any user selection of any controls.

3 30. The Accused Product includes a computer connection interface for
4 communicating information from the microprocessor to a personal computer.

5 31. In the Accused Product, each of the visual indicia is representative of a
6 different status of the vehicle.

7 32. Upon information and belief, by the acts of patent infringement herein
8 complained of, the Defendants have made substantial profits to which they are not
9 equitably entitled.

10 33. By reason of the aforementioned acts of the Defendants, the Plaintiff has
11 suffered great detriment in a sum which exceeds this Court's jurisdictional amount,
12 but which cannot be ascertained at this time.

13 34. Upon information and belief, Defendants continue to infringe Plaintiff's
14 '799 patent, and will continue to infringe Plaintiff's '799 patent to Plaintiff's
15 irreparable harm, unless enjoined by this Court.

16 35. Upon information and belief, Defendants' infringement of the '799
17 patent has been willful, entitling Plaintiff to enhanced damages.

18 **PRAYER FOR RELIEF**

19 WHEREFORE, Plaintiff prays for judgment against the Defendants as follows:

20 A. A judgment that Defendants have infringed, contributorily infringed,
21 and/or induced infringement of the '799 patent.

22 B. A judgment that Defendants' infringement of the '799 patents has been
23 willful.

24 C. A preliminary and permanent injunction, pursuant to 35 U.S.C. §283,
25 enjoining Defendants, and all persons in active concert or participation with them,
26 from any further acts of infringement, contributory infringement or inducement of
27 infringement of the patents in suit.

28 D. An order, pursuant to 35 U.S.C. §284, awarding Plaintiff damages

STETINA BRUNDA GARRED & BRUCKER
75 ENTERPRISE, SUITE 250
ALISO VIEJO, CALIFORNIA 92656
PHONE: (949) 855-1246; FACSIMILE: (949) 855-6371

adequate to compensate Plaintiff for Defendants' infringement of the '799 patent, in an amount to be determined at trial, but in no event less than a reasonable royalty.


E. An order, pursuant to 35 U.S.C. §284, trebling all damages awarded to Plaintiff based on Defendants' willful infringement of the '799 patent.

F. An order, pursuant to 35 U.S.C. §285, finding that this is an exceptional case and awarding to Plaintiff its reasonable attorneys' fees incurred in this action.

G. That Plaintiff have such other and further relief that the court may deem just and proper.

Dated: July 1, 2011

STETINA BRUNDA GARRED & BRUCKER

By: 
Bruce B. Brunda
Attorneys for Plaintiff
INNOVA ELECTRONICS CORP.

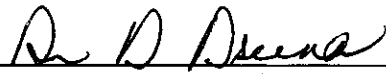
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75 ENTERPRISE, SUITE 250
ALISO VIEJO, CALIFORNIA 92656
PHONE: (949) 855-1246; FACSIMILE: (949) 855-6371

DEMAND FOR JURY TRIAL

Plaintiff, Innova Electronics Corp. hereby demands a jury trial in this action.

Dated: July 1, 2011

STETINA BRUNDA GARRED & BRUCKER

By: 
Bruce B. Brunda
Attorneys for Plaintiff
INNOVA ELECTRONICS CORP.

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STETINA BRUNDA GARRED & BRUCKER
75 ENTERPRISE, SUITE 250
ALISO VIEJO, CALIFORNIA 92656
PHONE: (949) 855-1246; FACSIMILE: (949) 855-6371

EXHIBIT 1

#34



US00RE40799E

(19) **United States**
 (12) **Reissued Patent**
Chen

(10) **Patent Number:** **US RE40,799 E**
 (45) **Date of Reissued Patent:** **Jun. 23, 2009**

(54) **METHOD AND SYSTEM FOR COMPUTER NETWORK IMPLEMENTED VEHICLE DIAGNOSTICS**

(75) Inventor: **Ieon C. Chen**, Laguna Hills, CA (US)

(73) Assignee: **Innova Electronics Corporation**,
 Fountain Valley, CA (US)

(21) Appl. No.: **11/509,096**

(22) Filed: **Aug. 16, 2006**

Related U.S. Patent Documents

Reissue of:

(64) Patent No.: **6,947,816**
 Issued: **Sep. 20, 2005**
 Appl. No.: **11/028,111**
 Filed: **Jan. 3, 2005**

U.S. Applications:

(63) Continuation of application No. 09/961,223, filed on Sep. 21, 2001, now Pat. No. 6,941,203.

(51) **Int. Cl.**
G06F 19/00 (2006.01)
G01R 31/02 (2006.01)
G01M 15/00 (2006.01)

(52) **U.S. Cl.** **701/33; 701/29; 701/32; 701/35; 324/500; 702/183**

(58) **Field of Classification Search** **701/33, 701/29, 30, 31, 32, 35; 324/72, 72.5, 67, 324/500, 503; 455/423; 702/183, 184**

See application file for complete search history.

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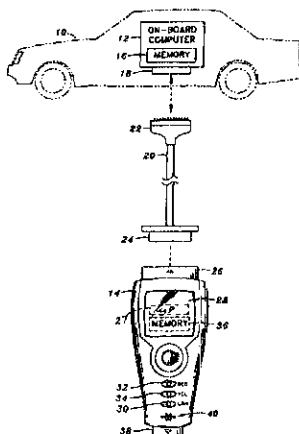
Primary Examiner—Tan Q Nguyen

(74) *Attorney, Agent, or Firm*—Stetina Brunda Garred & Brucker

(57) **ABSTRACT**

A method of diagnosing a status of a vehicle. The vehicle has an on-board computer for generating a diagnostic trouble code signal related to a passed or problem status of the vehicle. A portable code reader is connected to the on-board computer. Diagnostic trouble code signals are communicated from the on-board computer to the code reader. The code reader communicates to a personal computer respective ones of the diagnostic trouble code signals related to a problem status of the vehicle. The personal computer communicates the respective ones of the diagnostic trouble code signals from the personal computer to a remote computer. The remote computer is configured to correlate the diagnostic trouble code signals to problem description data for diagnosing the vehicle. Problem description data correlated to the respective ones of the diagnostic trouble code signals are communicated from the remote computer to the personal computer.

11 Claims, 6 Drawing Sheets



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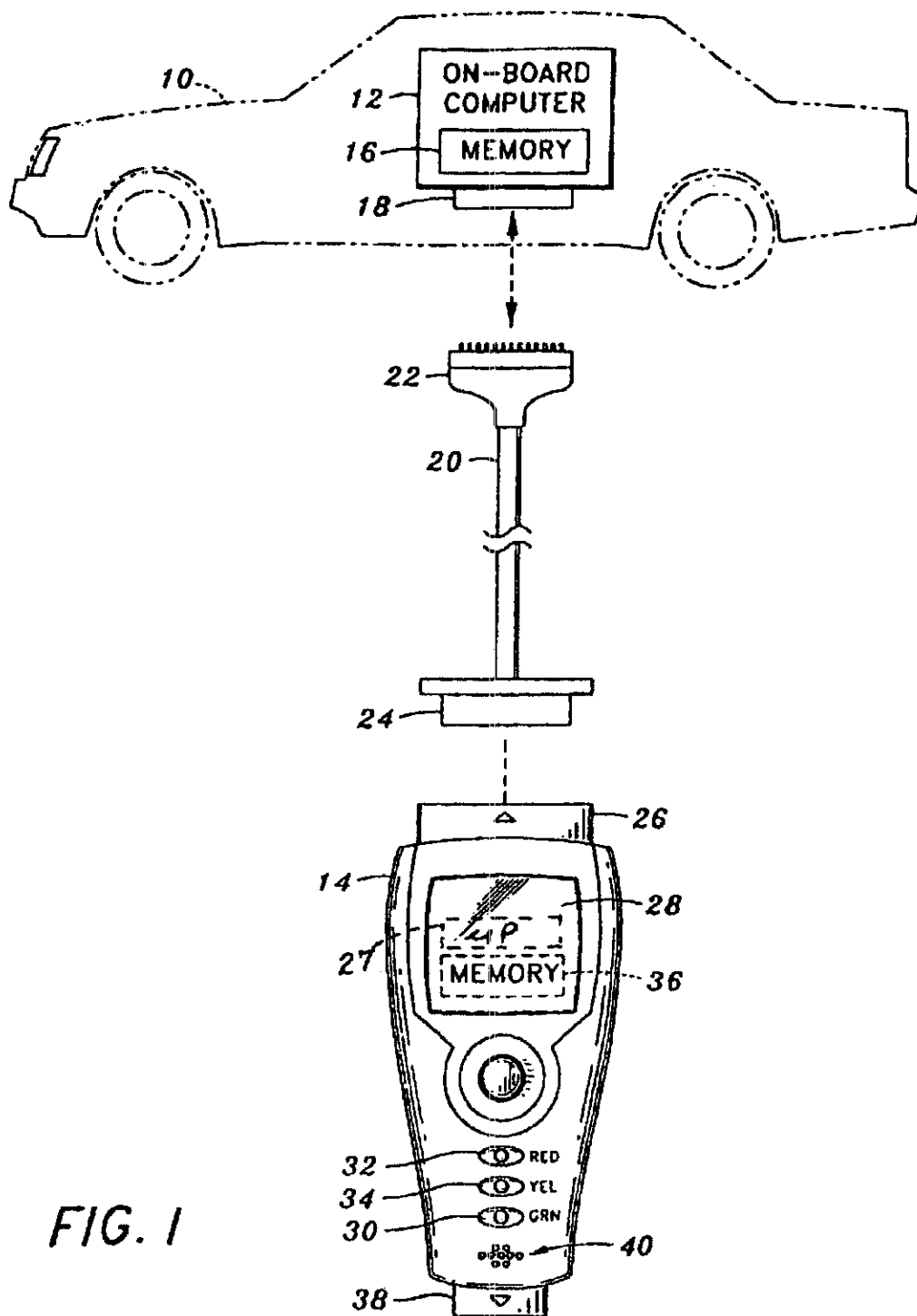


FIG. 1

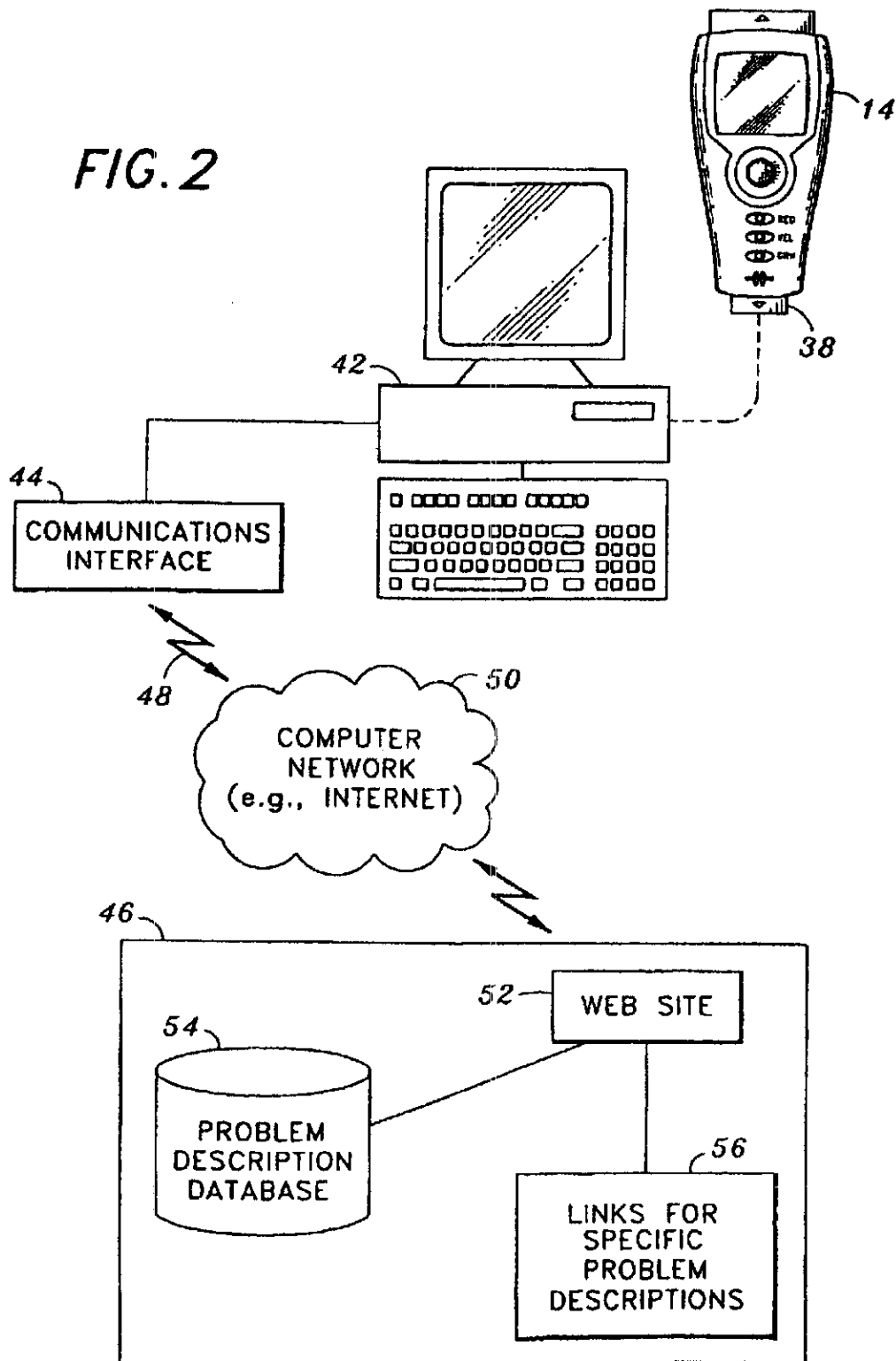
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FIG. 2



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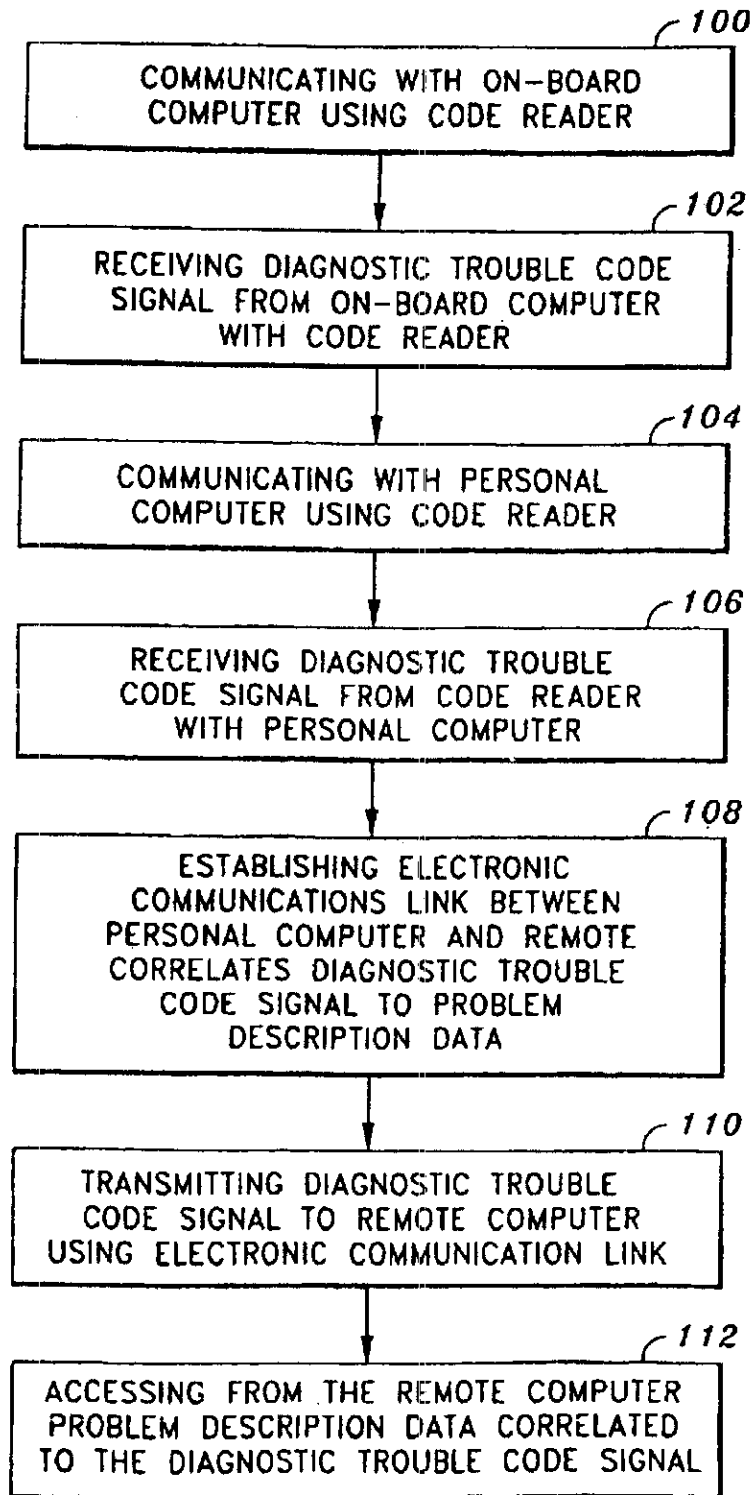


FIG. 3

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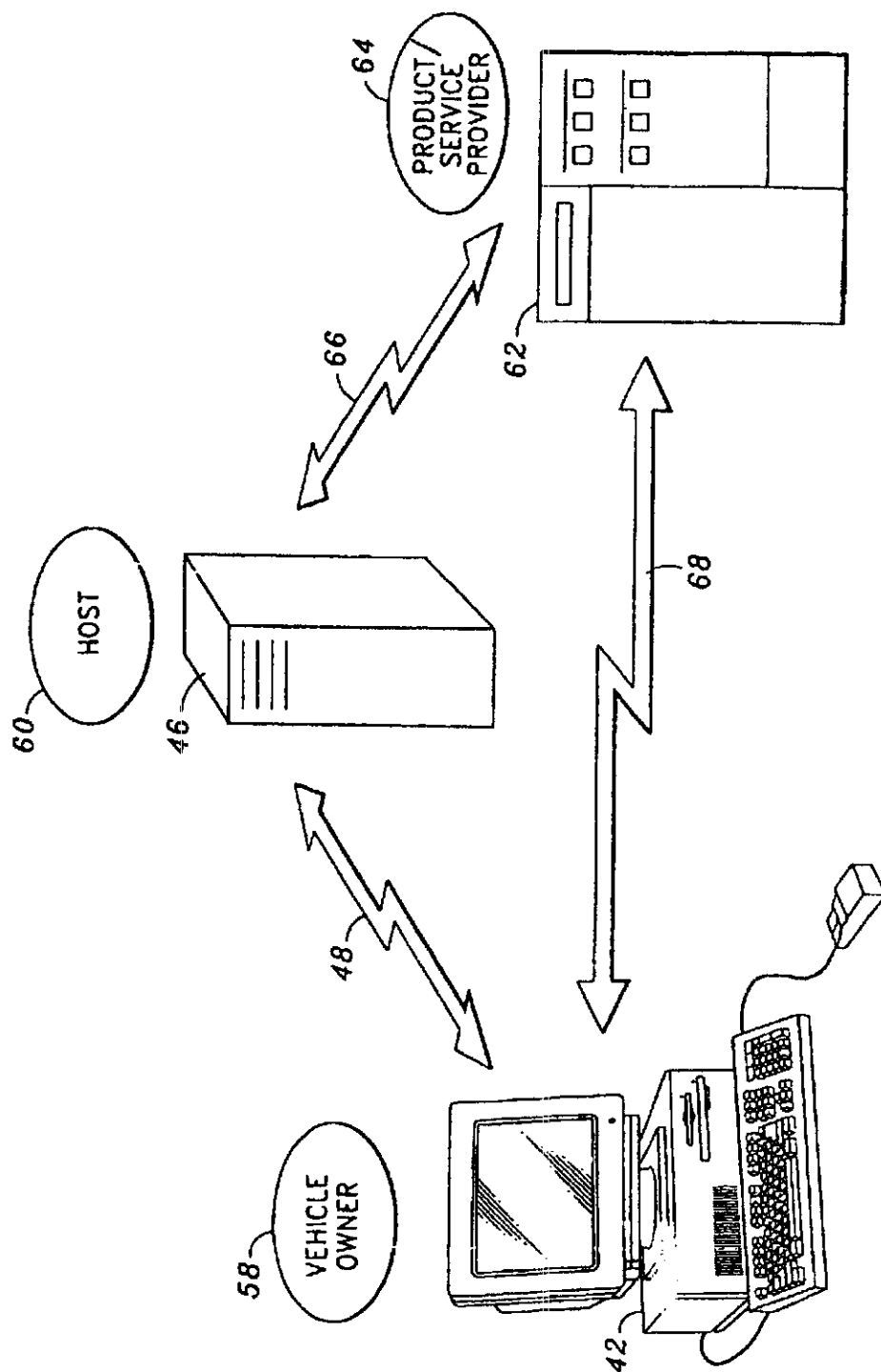


FIG. 4

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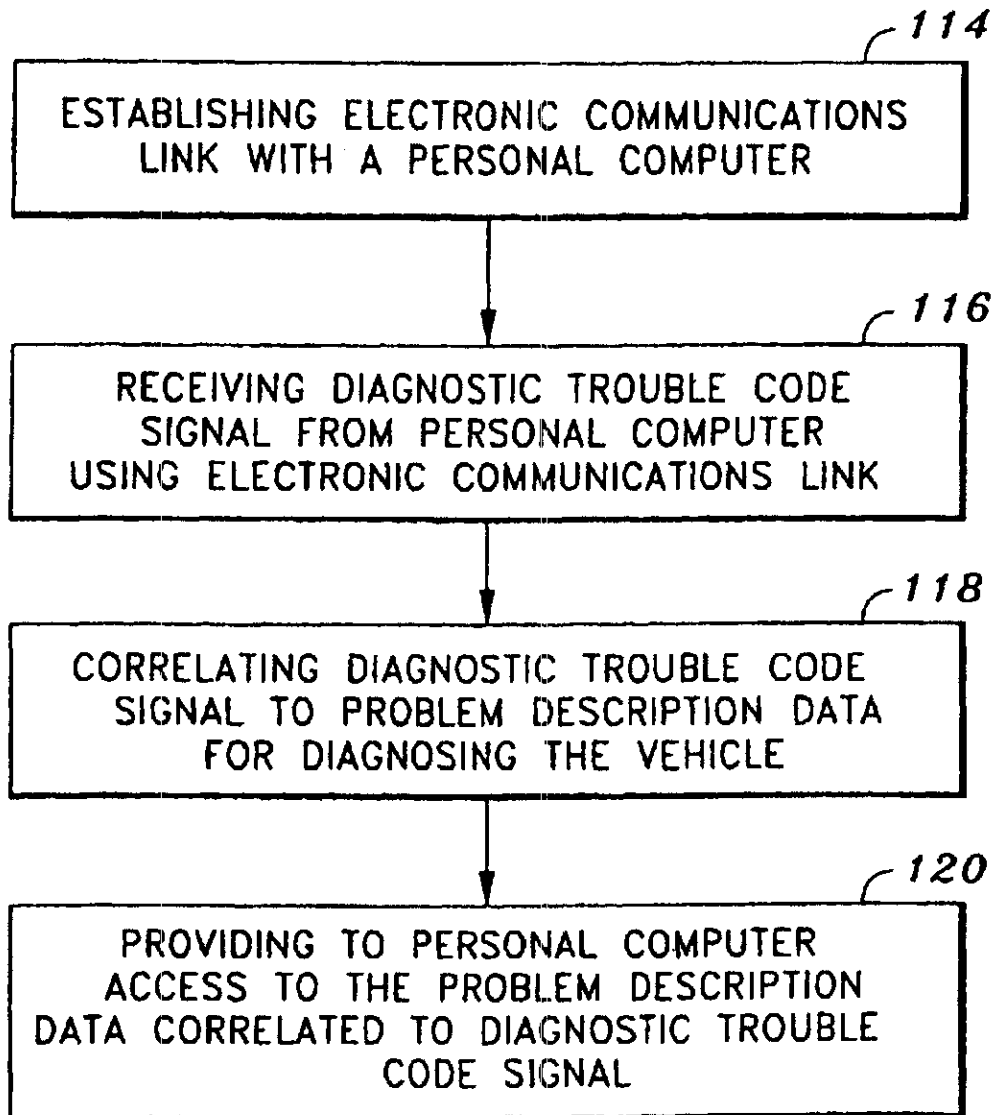


FIG. 5

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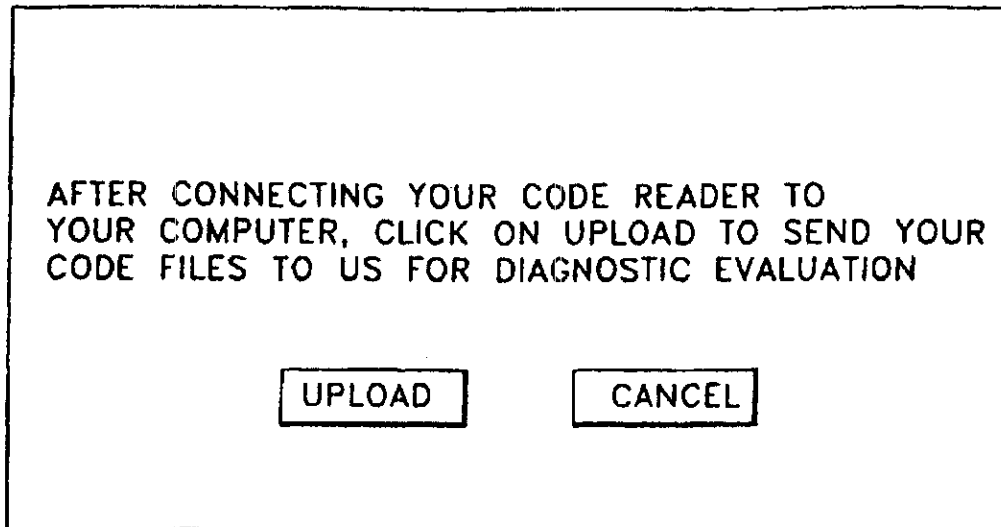


FIG. 6

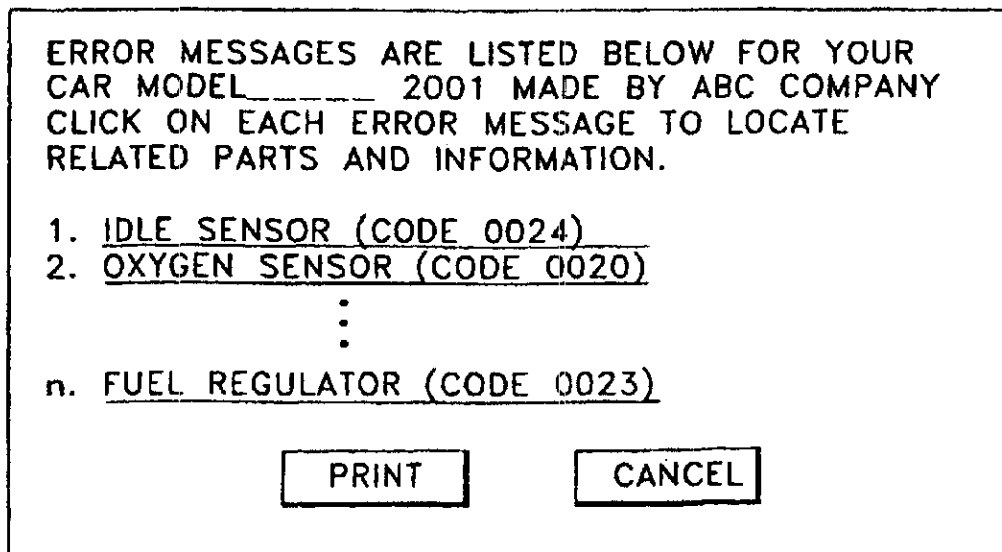


FIG. 7

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**METHOD AND SYSTEM FOR COMPUTER
NETWORK IMPLEMENTED VEHICLE
DIAGNOSTICS**

Matter enclosed in heavy brackets [] appears in the original patent but forms no part of this reissue specification; matter printed in italics indicates the additions made by reissue.

**CROSS-REFERENCE TO RELATED
APPLICATIONS**

This application is a reissue application for U.S. Pat. No. 6,947,816 issued on Sep. 20, 2005 which issued from U.S. application Ser. No. 11/028,111 filed on Jan. 3, 2005.

This is a continuation of application Ser. No. 09/961,223 filed Sep. 21, 2001 now U.S. Pat. No. 6,941,203.

**STATEMENT RE: FEDERALLY SPONSORED
RESEARCH/DEVELOPMENT**

(Not Applicable)

BACKGROUND OF THE INVENTION

The present invention relates generally to methods and systems of diagnosing a vehicle, and more particularly to a method and system which contemplates establishing an electronic communications link with a remote computer for correlation of diagnostic fault codes.

Modern motor vehicles include a computer control system. The main purpose of the vehicle's computer control system is to provide maximum engine performance with the least amount of air pollution and the best fuel efficiency possible. The computer control system consists of the on-board computer and several related electronic control devices (sensors, switches, and actuators). The control devices may control various systems and/or subsystems within the vehicle. These electronic control devices send information to the on-board computer about such parameters as the temperature and density of the outside air, the speed of the engine, the amount of fuel delivered, etc. At the same time, the on-board computer scans for any problems from its sensors. If a problem is detected, the on-board computer stores the problem as a numeric code, referred to as a diagnostic trouble code or fault code, in its memory for later retrieval. In this regard, diagnostic trouble codes (DTCs) are codes that identify a particular problem area and are intended as a guide to the proper corrective servicing of the vehicle.

In response to governmental regulations and industry practices, vehicle manufacturers have begun to standardize diagnostic trouble codes. For example, the current generation standard or communications protocol is referred to as OBD II. Beginning in 1996, all vehicles built for sale in the U.S. were required to be OBD II-compliant.

Hand-held or portable code reader, also referred to as a diagnostic code readers or scan tools, have been utilized to trouble shoot faults or problems associated with these electronic control units. Such code readers are configured to electronically communicate with a vehicle's on-board computer for accessing stored diagnostic trouble codes. The more sophisticated code readers may be configured to determine a particular standard or communications protocol being implemented by the subject vehicle. The code reader interfaces with the vehicle's on-board computer via a connection point which is usually located under the instrument panel (dash), on the drivers side of most vehicles. OBD

2

II-compliant vehicles are configured to have a on-board computer equipped to receive a sixteen-pin data link connector cable from the code reader.

The code reader typically has a display for indicating received diagnostic trouble codes. Some code readers include problem description data correlated to the diagnostic trouble codes stored in memory. Other code readers are used in connection with a booklet containing problem description data correlated to the diagnostic trouble codes. Over time, due to newer model vehicles and availability of additional diagnostic trouble codes, it is contemplated that the problem description data (either as stored in the code reader memory or related booklet) would require updating.

From the perspective of vehicle owners, personal use of code readers may be advantageous. Vehicle owners may choose to effect a repair themselves, possibly at a substantial cost savings in comparison to having service providers or technicians perform the same repairs. Alternatively, even if the services of a service technician are utilized, with the advance knowledge as to the nature and scope of vehicle problem, a vehicle owner may be able to mitigate unwarranted services and costs. Moreover, a vehicle owner may avoid a service fee to the service technician for performing the very same task of retrieving the diagnostic trouble codes and correlating them to the problem description data.

From the perspectives of a manufacturer of replacement automobile parts, a manufacturer of tools used in connection with replacement or repair of automobile parts, and a retailer of such parts or tools, the use and availability of code readers to vehicle owners is encouraged. In this respect, vehicle owners may be able to diagnose vehicle problems which may lead to such vehicle owners who are weekend mechanics effecting repairs themselves, or purchasing replacement parts and/or related tools for a service technician to effect the related repair.

The network of computers that is what is currently understood as the Internet has allowed for the proliferation and easy access to vast amounts of data and information. In addition, the "electronic shopping" offered by businesses having an Internet presence is increasingly being viewed as a desirable alternative to the more traditional forms of shopping which typically necessitates a trip to a retail outlet or service provider. Those who shop online are often referred to as engaging in "e-commerce". In this regard, an online retailer would typically maintain an e-commerce enabled web site on what is currently understood as the Internet. Such a web site would typically include an online catalog of goods or services advertised for sale. It is contemplated that such a web site would be configured to facilitate online transactions for such goods or services (e.g., able to receive orders, process payment by processing credit card debits, etc.).

From the perspective of a vehicle owner desiring to utilize a code reader to perform vehicle diagnostics, and from the perspective of a manufacturer of replacement automobile parts, a manufacturer of tools used in connection with replacement or repair of automobile parts, and a retailer of such parts or tools, it is therefore evident that there exists a need in the art for a more efficient use of code readers for diagnosing a vehicle in comparison to the prior art methods.

BRIEF SUMMARY OF THE INVENTION

In accordance with an aspect of the present invention, there is provided a method of diagnosing a vehicle via a remote computer. The vehicle has an on-board computer for generating a diagnostic trouble code signal. The diagnostic

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trouble code signal is related to a passed status of the vehicle or a problem status of the vehicle. The method begins with the initial step of connecting a portable code reader to the on-board computer. Diagnostic trouble code signals are communicated from the on-board computer to the code reader. Respective ones of the diagnostic trouble code signals related to a problem status of the vehicle are communicated from the code reader to a personal computer. The respective ones of the diagnostic trouble code signals are communicated to a remote computer from the personal computer. The remote computer is configured to correlate the diagnostic trouble code signals to problem description data for diagnosing the vehicle. Problem description data correlated to the respective ones of the diagnostic trouble code signals is communicated from the remote computer to the personal computer.

In an embodiment of the present invention, the method further provides for product/service provider information related to the problem description data being communicated from the remote computer to the personal computer. In addition, a cable connection may be utilized for connecting the on-board computer to the code reader. A computer network may be used to communicate between the personal computer and the remote computer. The computer network may be the Internet and the remote computer may be associated with a web site.

According to another aspect of the present invention, there is provided a method of diagnosing a status of a vehicle. The vehicle has an on-board computer for generating diagnostic trouble code signals. The diagnostic trouble code signals are related to a problem status of the vehicle. The personal computer has diagnostic trouble codes stored therein retrieved from the on-board computer of the vehicle. The diagnostic trouble code signal is received by a remote computer from the personal computer. The diagnostic trouble code signal is correlated to problem description data for diagnosing the vehicle. The problem description data communicated to the personal computer.

The personal computer may be provided with access to product/service provider information related to the problem description data. A vehicle owner/provider electronic communications link may be facilitated between the personal computer and a product/service provider computer. In addition, the electronic communications link may be established via the Internet and the product/service provider computer may be associated with a web page. A number of times the vehicle owner/provider electronic communications link is established may be tracked. A database may be hosted having problem description data for diagnosing the vehicle indexed to diagnostic trouble codes.

According to another aspect of the present invention, there is provided a vehicle diagnosis system for diagnosing a status of a vehicle. The vehicle has an on-board computer for generating diagnostic trouble code signals. The diagnostic trouble code signals are related to a passed status of the vehicle or a problem status of the vehicle. The vehicle diagnosis system includes a portable code reader configured to electronically communicate with the on-board computer for receiving diagnostic trouble code signals from the on-board computer. The code reader has an output device for indicating a status of the vehicle in response to receipt of the diagnostic trouble code signals from the on-board computer. The vehicle diagnosis system includes a personal computer configured to electronically communicate with the code reader for receiving from the code reader diagnostic trouble code signals related to a problem status of the vehicle. The personal computer has a remote electronic communications

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interface. The remote electronic communications interface is configured to establish an electronic communications link between the personal computer and a remote computer for transmitting the diagnostic trouble code signals to the remote computer.

According to an embodiment of the present invention, the output device is preferably configured to visually indicate a status of the vehicle in response to receipt of the diagnostic trouble code signals from the on-board computer. The output device may be configured to visually indicate a status of the vehicle with a color indicator. The code reader is configured to indicate a failure to receive a diagnostic trouble code signal. The output device is configured to indicate an inconclusive status of the vehicle in response to a failure to receive diagnostic trouble code signals from the on-board computer. The code reader further comprises a cable connector interface for electronically communicating with the on-board computer using the code reader. The electronic communications link is establishable via a computer network. The computer network is the Internet and the remote computer is associated with a web site. The code reader and the personal computer may be the same device.

According to yet another aspect of the present invention, there is provided a portable code reader for diagnosing a status of a vehicle. The vehicle has an on-board computer for generating diagnostic trouble code signals. The diagnostic trouble code signals are related to a passed status of the vehicle or a problem status of the vehicle. The code reader includes an on-board computer connection interface configured to electronically communicate with the on-board computer for receiving diagnostic trouble code signals from the on-board computer. The code reader further includes an output device configured to indicate a passed or a problem status of the vehicle in response to receipt of the diagnostic trouble code signal from the on-board computer and an inconclusive status of the vehicle in response to a failure to receive diagnostic trouble code signals from the on-board computer. The code reader further includes a code reader memory configured to store diagnostic trouble code signals received from the on-board computer connection interface related to a problem status of the vehicle. The code reader further includes a personal computer connection interface configured to electronically communicate with a personal computer for transmitting diagnostic trouble code signals indicative of a problem status stored in the code reader memory for diagnosing the vehicle. Preferably, the output device is configured to visually indicate a status of the vehicle. The output device may be configured to visually indicate a status of the vehicle with a color indicator. The on-board computer connection interface may be a cable connector interface.

Accordingly, the present invention represents a significant advance in the art.

BRIEF DESCRIPTION OF THE DRAWINGS

These, as well as other features of the present invention, will become more apparent upon reference to the drawings wherein:

FIG. 1 is a symbolic relational diagram depicting a code reader for use in diagnosing a vehicle according to an aspect of the present invention.

FIG. 2 is a symbolic relational diagram depicting the code reader as used in connection with a personal computer and a remote computer according to another aspect of the present invention;

FIG. 3 is flow chart of a method of diagnosing a vehicle from a perspective of a vehicle owner according to an aspect of the present invention;

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FIG. 4 is a symbolic relational diagram depicting the interactions between a personal computer of vehicle owner, remote computer of a host, and a product/service provider computer of a product/service provider according to another aspect of the present invention;

FIG. 5 is flow chart of a method of diagnosing a vehicle from a perspective of the host of the remote computer of FIG. 4;

FIG. 6 is an exemplary screen display used by a remote computer for communication with the vehicle owner for receiving diagnostic trouble codes; and

FIG. 7 is an exemplary screen display used by a remote computer for communication with the vehicle owner for providing the vehicle owner with product/service provider information related to the diagnostic trouble codes.

DETAILED DESCRIPTION OF THE INVENTION

Referring now to the drawings wherein the showings are for purposes of illustrating a preferred embodiment of the present invention only, and not for purposes of limiting the same, FIGS. 1-7 illustrate methods and systems of diagnosing a vehicle 10 according to aspects of the present invention.

Referring now to FIG. 1 there is depicted the vehicle 10. The vehicle has an on-board computer 12. As will be discussed in detail below, the on-board computer 12 is configured to generate diagnostic trouble code signals for access by a code reader 14.

The on-board computer 12 includes a memory 16. The on-board computer 12 is contemplated to be a portion of a computer control system of the vehicle 10. In this regard, the computer control system further includes several related electronic control devices (sensors, switches, and actuators). The control devices may control various systems and/or subsystems within the vehicle 10. These electronic control devices send information to the on-board computer 12 about such parameters as the temperature and density of the outside air, the speed of the engine, the amount of fuel delivered, etc. At the same time, the on-board computer 12 scans for any problems from its sensors. If a problem is detected, the on-board computer 12 stores the problem as a numeric code, referred to as a diagnostic trouble code or fault code, in its memory 16 or later retrieval by the code reader 14. In this context, the on-board computer 12 generates diagnostic trouble code signals which are representative of the stored diagnostic trouble codes with respect to the code reader 14.

The diagnostic trouble code signals are related to a passed status of the vehicle 10 or a problem status of the vehicle 10. In this regard, the specific value or sequences of values of a given diagnostic trouble code signal may indicate that no diagnostic trouble codes were received and recorded in the memory 16 of the on-board computer 12 thereby being representative of a passed status of the vehicle. Alternatively, the specific value or sequences of values of a given diagnostic trouble code signal may indicate one or more specific faults such as indicated by sensors in the vehicle 10 thereby representative of a problem status of the vehicle 10.

The code reader 14 includes an on-board computer connection interface 18 configured to electronically communicate with the on-board computer 12 for receiving diagnostic trouble code signals from the on-board computer 12. In the embodiment shown, the on-board computer connection interface 18 is configured to connect with a cable 20 via a cable connector 22. It is contemplated that the on-board computer connection interface 18 may take others forms or

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configurations, such as a wireless connection. As shown, the cable 20 further includes another cable connector 24 and the code reader 14 includes a code reader connection interface 26 sized and configured to receive the cable connector 24.

It is contemplated that the code reader 14 includes a microprocessor 27 for determining whether the received diagnostic trouble code signal is indicative of either a passed or problem status of the vehicle 10. Further, the microprocessor 27 may further determine whether any diagnostic trouble codes have been properly received from the on-board computer 12. As such, the microprocessor is configured to detect the failure of receipt of a diagnostic trouble code signal from the vehicle 10. It is contemplated that the failure to receive a diagnostic trouble code signal from the on-board computer 12 is indicative of an inconclusive status of the vehicle 10. Such inconclusive status of the vehicle 10 represents that a particular usage of the code reader 14 failed to affirmatively determine either a passed or problem status of the vehicle 10.

The code reader 14 further includes an output device 28 configured to indicate a passed or a problem status of the vehicle in response to receipt of the diagnostic trouble code signal from the on-board computer 12. The output device 28 is further configured to indicate an inconclusive status of the vehicle in response to a failure to receive a diagnostic trouble code signal from the on-board computer 12. The output device 28 may take various forms, such as a panel display as shown. The panel display may visually indicate the status of the vehicle 10. In addition, in another form, the code reader 14 may include indicator lights 30, 32, 34 to visually indicate the status of the vehicle. Such indicator lights 30, 32, 34 may be color coded with indicator light 30 being green to correspond to a passed status of the vehicle 10, indicator light 32 being red to correspond to a problem status of the vehicle 10, and indicator light 34 being yellow to correspond to an inconclusive status of the vehicle 10. In addition, the indicator lights 30, 32, 34 may be configured to flash. The code reader 14 may further include a speaker 40 for audible indications of the status of the vehicle 10 are further contemplated.

The code reader 14 further includes a code reader memory 36 configured to store diagnostic trouble code signals received from the on-board computer connection interface 18 related to a problem status of the vehicle 10.

Referring additionally to FIG. 2, the code reader 14 further includes a personal computer connection interface 38 configured to electronically communicate with a personal computer 42. The personal computer 42 is configured to electronically communicate with the code reader 14 for receiving from the code reader 14 a respective ones of the diagnostic trouble code signals which are related to a problem status of the vehicle 10. It is understood the diagnostic trouble code signals passed from the code reader 14 to the personal computer 42 may be representative or derivative of the diagnostic trouble code signals received by the code reader 14 itself. Further, as used herein, the terms personal computer and computer are used interchangeably, and include any of those computing devices which are well known to one of ordinary skill in the art, including any device used to automatically apply logic. For example, such computing devices may include computers of all kinds such as personal computer, desktop computers, laptop computers, terminals, hand-held palm devices, personal digital assistants (PDAs), servers, portable telephones, etc. In an embodiment of the present invention, it is contemplated that the code reader 14 and the personal computer 42 are the same device.

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The personal computer has a remote electronic communications interface 44 which for transmitting the received diagnostic trouble code signals to a remote computer 46. In this regard, the remote electronic communications interface 44 is configured to establish an electronic communications link 48 between the personal computer 42 and a remote computer 46 for transmitting the diagnostic trouble code signals to the remote computer 46. It is understood the diagnostic trouble code signals passed from the personal computer 42 to the remote computer 46 may be representative or derivative of the diagnostic trouble code signals received by the personal computer 42 from code reader 14.

The electronic communications link 48 may be established a computer network 50. The electronic communications link 48 may be effectuated via any of those methods which are well known to one of ordinary skill in the art which may utilize telephone, cable (Digital Subscriber Lines (DSL) and variations thereof, wire, optical, etc.), optical communications (including infrared), and wireless forms of communications, such as those based upon cellular, satellite, and radio frequency (RF), and other forms of electromagnetic wave based mediums. While the computer network 50 may be what is currently understood as the Internet, any other computer communication and/or network arrangements may also be utilized, such as local area networks (LANs), intranets, extranets, wide area networks (WANs), private networks, virtual private networks, dedicated circuits, integrated services digital networks (ISDNs), frame relay, etc. Thus, in the case where the computer network 50 is the Internet, the remote computer 46 may be hosted at a web address. As such the remote computer 46 may be associated with a web site 52.

Importantly, the remote computer 46 facilitates access to problem description data which may be correlated to the diagnostic trouble code signals received from the personal computer 42. In this regard, the remote computer 46 may include or at least is configured to access a problem description database 54. The problem description database 54 includes problem description data correlated to the diagnostic trouble code signal. In this regard, the problem description database 54 may include a look-up table of various possible diagnostic trouble codes and the associated problem descriptions for each such diagnostic trouble code. Upon receipt of the diagnostic trouble code signal, the remote computer 42 is configured to correlate the related diagnostic trouble code to the appropriate problem description data and transmit back to the personal computer 42 such problem description data. In addition, as described in further detail below, the problem description database 54 may include cross-references to product/service provider information related to the problem description data, the remote computer 46 may include electronic links 56 related to the problem description data and the product/service provider information.

Referring now additionally to FIGS. 3 and 4, there is provided a method of diagnosing the vehicle 10 according to an aspect of the present invention. FIG. 3 depicts a flowchart of steps included in the present method. Referring to FIG. 4, it is contemplated that the vehicle 10 may have a vehicle owner 58. In this regard, the term vehicle owner 58 broadly refers to a person or entity associated with the vehicle 10, and is not limited to application of ownership principles. In this context, the vehicle owner 10 may further have access to the personal computer 42. From the perspective of a vehicle owner 58, for example, there is provided the present method of diagnosing the vehicle 10.

The method begins with block 100 which includes connecting a portable code reader 14 to the on-board computer

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12. As such, the portable code reader 14 is enabled to electronically communicate with the on-board computer. The on-board computer 12 and code reader 14 are as described above. Block 100 may include utilizing a cable connection for electronically communicating with the on-board computer 12 using the code reader 14. In this regard, the vehicle owner 58 may be provided with the code reader 14 which the vehicle owner 58 connects to the on-board computer 12 via the cable 20. The method continues with block 102 which includes communicating diagnostic trouble code signals from the on-board computer 12 to the code reader 14. The method continues with block 104 which includes communicating from the code reader 14 to the personal computer 42 respective ones of the diagnostic trouble code signals which are related to a problem status of the vehicle 10. The method continues with block 106 which includes communicating from the personal computer 42 to a remote computer 46 respective ones of the diagnostic trouble code signals which are related to a problem status of the vehicle 10. The remote computer 46 is configured to correlate the respective ones of the diagnostic trouble code signal to problem description data for diagnosing the vehicle 10. The method continues with block 108 which includes communicating problem description data correlated to the respective ones of the diagnosing trouble code signals from the remote computer to the personal computer 42. Block 108 may further include communicating product/service provide information related to the problem description data.

As shown in FIG. 4, the remote computer 46 has associated with it a host 60. In this regard, the host 60 may be an entity which is responsible for or otherwise associated with maintaining the remote computer 46. From the perspective of the host 60, for example, there is provided the another method diagnosing the vehicle 10 according to another aspect of the present invention.

The method begins with block 110 which includes receiving the diagnostic trouble code signals from the personal computer 42 by a remote computer 46. In this regard, the vehicle owner 58 may be presented with a graphic user interface such as shown in FIG. 6 which may be used to initiate transmission from the personal computer 42 and subsequent receipt by the remote computer 46 of the diagnostic trouble code signals.

The method continues with block 112 which includes correlating the diagnostic trouble code signal to problem description data for diagnosing the vehicle 10. Block 112 may include hosting a database, such as problem description data 54, having problem description data for diagnosing the vehicle 10 indexed to diagnostic trouble codes. The method continues with block 114 which includes communicating to the personal computer 42 from the remote computer 46 the problem description data correlated to the diagnostic trouble code signal. Block 114 may further include communicating to the personal computer 42 product/service provider information related to the problem description data. Block 114 may further continue with facilitating a vehicle owner/provider electronic communications link 68 between the personal computer 42 and a product/service provider computer 62. For example, referring to FIG. 7, there is depicted an exemplary depict of a graphical user interface that may be presented to the vehicle owner 58 by the remote computer 46. By "clicking" on the displayed error messages, a hyper-text link may be initiated for link to the product/service information which may be hosted by the remote computer 46 or by the product/service provider computer 62 as accessed via the remote computer 46.

It is contemplated that a product/service provider 64 may have associated with it the product/service provider com-

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puter 62. The host 60, via the remote computer 46, may establish a host/provider electronic communications link 66 with the product/service provider computer 62 of the product/service provider 64. As used herein, the term product/service provider 64 refers to an entity having associated with it a product or service (generically referred to herein as product/service) for offering to a vehicle owner 58. For example, a product/service may be a particular replacement part, such as a muffler or brake pads, which may be associated with the problem description data. In this regard, the term vehicle owner 58 further includes not only those entities that transact business with the product/service provider 64 concerning the product/service, but also those that may potentially transact business with the product/service provider 64 or are targeted as such by the product/service provider 64.

As such the product/service provider information related to the problem description data, may take the form of information related to products/services (e.g., specific replacement parts or tools associated with affecting repairs to diagnostic trouble codes, such as part numbers, availability, and pricing) and/or information regarding the product/service providers 64 offering for sale such products/services. Such product/service provider information may take the form of electronic links 56 which may allow access to provider computers 62. As such, from the perspective of the product/service provider 64, the host 60 serves the purpose of driving online "traffic" to the product/service provider computer 62, such as a web site of the product/service provider 64.

As used herein, the terms vehicle owner 58, personal computer 42, product/service provider 64 and product/service provider computer 62 include both the singular and the plural. In this regard, it is contemplated that the host 60 would routinely establish electronic communications links 48 with many personal computers 42 of different vehicle owners 58. Likewise, the host 60 could establish links 66 with a variety of product/service provider computers 62 of a variety of product/service providers 64.

It is contemplated that the product/service provider 64 may functionally be the host 60. It is contemplated that the host 60 and the product/service provider 64 may be the same entity, and the remote computer 46 and the product/service provider computer 62 may be the same device. In this regard, the host/provider electronic communications link 66 may be an internal process.

In addition, the method may further include establishing a financial relationship between a host 60 and the product/service provider 64. The relationship may provide that the product/service provider 64 owes consideration to the host 60 based upon the a number of times the vehicle owner/provider electronic communications link 68 is established (i.e., a "click through" count). Such click through count may be calculated and monitored by the remote computer 46. As such, block 120 may further include tracking a number of times the vehicle owner/provider electronic communications link 68 is established. Further, in an alternate or hybrid arrangement, the product/service provider 64 may owe consideration to the host 60 based upon sales transactions of the product/service to the vehicle owner 58 by the product/service provider 64.

In practice, once the electronic communications link 48 is established, vehicle owner/provider electronic communications link 68 between the personal computer 42 and a product/service provider computer 62 may be facilitated by the remote computer 46. In this regard, the remote computer 46 effectively redirects the contact with the personal com-

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puter 42 from itself to the product/service provider computer 52. Once the personal computer 42 is electronically linked with the product/service provider computer 52, the product/service provider 64 may then expose the vehicle owner 58 (e.g., a potential online customer) to its product/service information. As shown in FIG. 4, the vehicle owner/provider electronic communications link 68 is symbolic in nature, in that the vehicle owner/provider electronic communications link 68 may be effectuated indirectly through a combination of the electronic communications link 48 and the host/provider electronic communications link 66. For example, the vehicle owner/provider electronic communications link 68 may be established through a "framing" technique as implemented by the remote computer 46 which allows access by the personal computer 42 to the product/service provider computer 62 via host/provider electronic communications link 66 without having the personal computer 42 directly link to the product/service provider computer 62.

Additional modifications and improvements of the present invention may also be apparent to those of ordinary skill in the art. Thus, the particular combination of parts described and illustrated herein is intended to represent only one embodiment of the present invention, and is not intended to serve as limitations of alternative devices within the spirit and scope of the invention.

What is claimed is:

1. An automotive code reader for diagnosing a vehicle having an onboard computer for generating diagnostic trouble code signals, the diagnostic trouble code signals being related to a vehicle status, the tool comprising:

a connector for connecting to the onboard computer;

[a connect button for electrically connecting the scan tool to the onboard computer;]

a microprocessor disposed in the code reader, in electrical communication with the connector, for determining the presence of diagnostic trouble code signals as indicative of either a passed or problem status of the vehicle; and

a plurality of indicator lights in electrical communication with the microprocessor, the microprocessor being operative to selectively illuminate a first indicator light in response to receipt of diagnostic trouble code signals from the onboard computer, a second indicator light in response to a determination that no diagnostic code signals were received from the onboard computer, and a third indicator light in response to an inability to conclusively determine presence or absence of diagnostic trouble code signals in the onboard computer;

the selective illumination of one of the indicator lights proceeding [in response to operation of the connect button.] independent of user interaction with a visual interface.

2. The code reader as recited in claim 1 wherein the selective illumination of an indicator light proceeds independent of resources external to the code reader.

3. The code reader as recited in claim 1 wherein the selective illumination of an indicator light proceeds independent of any vehicle specific identification by a user.

4. The code reader as recited in claim 1 wherein the selective illumination of an indicator light proceeds independent of any user selection of code reader controls.

5. The code reader as recited in claim 1 wherein the code reader further comprises a computer connection interface for communicating information from the microprocessor to a personal computer.

6. The code reader as recited in claim 1 where each of the visual indicia is representative of a different status of the vehicle.

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7. An automotive code reader for diagnosing a vehicle having an onboard computer for generating diagnostic trouble code signals, the diagnostic trouble code signals being related to a vehicle status, the tool comprising:

a connector for connecting to the onboard computer;

[a connect button for electrically connecting the scan tool to the onboard computer;]

a microprocessor in electrical communication with the connector and operative to selectively generate a visual output signal representative of passed/failed/inconclusive status of the vehicle as determined from the absence/presence of diagnostic trouble code signals; and

a plurality of indicator lights in electrical communication with the microprocessor, the microprocessor being operative to illuminate a first indicator light in response to receipt of diagnostic trouble code signals from the onboard computer, a second indicator light in response to a determination that no diagnostic trouble code signals were recorded in the onboard computer, and a third indicator light in response to an inability to conclu-

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sively determine presence or absence of diagnostic trouble code signals in the onboard computer;

the selective illumination of one of the indicator lights proceeding [in response to operation of the connect button,] independent of user interaction with a visual interface.

8. The code reader as recited in claim 7 wherein the selective illumination of an indicator light proceeds independent of resources external to the code reader.

9. The code reader as recited in claim 7 wherein the selective illumination of an indicator light proceeds independent of any vehicle specific identification by a user.

10. The code reader as recited in claim 7 wherein the selective illumination of an indicator light proceeds independent of any user selection of code reader controls by a user.

11. The code reader as recited in claim 7 wherein the code reader further comprises a computer connection interface for communicating information from the microprocessor to a personal computer.

* * * * *

EXHIBIT 2

Launch Pioneer in the Automotive Aftermarket[Scan Tool]Creader[Where...

http://www.cnlaunch.com/english/News/show.asp?id=1683

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Creader VI® Launch releases the first color screen Creader

NEW

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Features:

- 1. Color LCD display, colorful and clear
- 2. Humanized function menu design, which can support all functions for the vehicles with OBD&EOBD
- 3. Multi-languages and LED indicators for diagnostic statuses
- 4. The new platform application makes Creader VI run faster and diagnosed more effectively than before

Specifications:

- 1. Screen: 3.1" TFT LCD (Color) 320x240 Pixels, 16:9 LCD display
- 2. Input voltage range: 9~14V
- 3. Operating current: <100mA (12V system)
- 4. Power consumption: 1.12W (typical)
- 5. LED indicator: 5-pin LED (5-pin OBD)
- 6. Operating temperature: 0~50°C
- 7. Storage temperature: -20~70°C
- 8. Output dimensions: 110mm x 110mm x 15mm
- 9. Weight: 100g (approx)

Creader VI is a new auto fault diagnostic tool, which is specially developed for the DIY users and the service technicians worked for small garages.

This product has applied the color LCD, humanized function menu design, which can support all functions for the vehicles with OBD&EOBD. It has multi-languages and LED indicators for diagnostic statuses. The above-mentioned makes this product to be popular. Meanwhile, the new platform application makes Creader VI run faster and diagnosed more effectively than before.

ixInterface display-Color LCD, colorful and clear

ixOperation button-Humanized button design, more convenient and effectively

ixFault tips-Diagnostic status is shown by the led indicator

Launch Pioneer in the Automotive Aftermarket | Scan Tool | Creader | Whe...

<http://www.cnlaunch.com/english/News/show.asp?id=1683>

i×Function range-support all functions for vehicle with OBD&EOBD, and record and playback the diagnostic data

i×Multi-languages-support eight languages, i.e. simplified Chinese, traditional Chinese, Japanese, Russian, Spanish, English, German, and French

i×Quick upgrade-quick upgrade via USB2.0 and update data at any time

i×Running speed-whole new product platform makes it run more quickly and diagnosed more effectively

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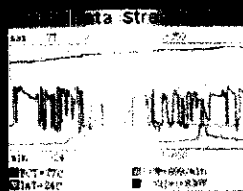
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DIAGNOSTIC PRODUCT LINE



X-431 Diagon

The Diagon features a PDA/Cell Phone styled full function wireless scan tool with touch screen navigation. The Diagon boasts a super fast boot up, color display, single OBDII connector and "Keyless Technology" doing away with multiple OBDII connectors and keys. The Diagon is available with European Software or Fully Loaded which includes Euro, Asian & Domestic coverage.



X-431 Tool

The X-431 TOOL is a vehicle diagnostic scan tool with a color screen display and heavy duty, ABS plastic case that is virtually dirt, dust and shockproof. It also comes with a multi drawer storage unit with pull out protective cases. The Tool features Class 1 Bluetooth Wireless OBD as well as Keyless Technology.



X-431 Master

The X-431 Master is the latest automotive diagnostic scan tool from LAUNCH. Functions include: read/clear DTC's, read/graph data stream, actuation tests, display sensor waveforms and module coding. The Master uses a single OBDII Connector and Keyless Technology, doing away with multiple OBDII connectors & keys.



OBDBook

The OBDbook 6830 is the only Dual Screen Scan Tool on the market today. While the Bottom Screen offers live data and graphing, the top screen offers Live Readiness Monitors & Codes all at the same time. This is perfect for I/M Areas, Road Tests & Drive Cycles for Recurring Code Validation.

AUTOBook

The Autobook was designed as a mid-line diagnostic scanner with all of the make and model coverage of the X-431 family minus the enhanced capabilities such as bi-directional coding and programming. The Autobook is an ideal choice for entry-level techs, body shops and other non-traditional scanner purchasers.



CRECORDER

Intermittent Drivability Problems a concern? Now be able to record a 24 hour loop of live running OBDII data? Simply plug in this small OBDII device and let the customer drive up to weeks at a time. When the problem occurs, simply remove the Creorder and upload the stored data to your computer. Playback saved data as graphs, movie format or digital to find that glitch. Every shop should have one!



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Global OBD II (Domestic, Asian, European)	■	■	■	■	■	■	■
OBD II Generic Diagnostic Trouble Codes	■	■	■	■	■	■	■
Manufacturer Specific Diagnostic Trouble Codes	■	■	■	■	■	■	■
Manufacturer Enhanced Diagnostic Trouble Codes	■	■	■	■	■	■	■
Generic Data Stream	■	■	■	■	■	■	■
Graph Data Stream	■	■	■	■	■	■	■
Enhanced Data Stream	■	■	■	■	■	■	■
Domestic OBD II Enhanced	■	■	■	■	■	■	■
Domestic OBD I	■	■	■	■	■	■	■
Domestic Non-Engine Coverage	■	■	■	■	■	■	■
Asian OBD II Enhanced	■	■	■	■	■	■	■
Asian OBD I	■	■	■	■	■	■	■
Asian Non-Engine Coverage	■	■	■	■	■	■	■
European OBD II Enhanced	■	■	■	■	■	■	■
European OBD I	■	■	■	■	■	■	■
European Non-Engine Coverage	■	■	■	■	■	■	■
PC Software	•	•	•	•	•	•	Yes
Enhanced Help Screens	■	■	■	■	■	■	■
Module Coding	■	■	■	■	■	■	■
Adaptive Resets	■	■	■	■	■	■	■
Bidirectional Tests	■	■	■	■	■	■	■
Software Updates	1 Year	1 Year	1 Year	1 Year	Lifetime	Lifetime	Lifetime
Wireless Connectivity (Bluetooth)	300 feet	300 feet	300 feet	300 feet	300 feet	300 feet	300 feet
Cables & Connectors	■	■	■	■	■	■	■

SCAN TOOLS



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Dale S. Fischer and the assigned discovery Magistrate Judge is Jacqueline Chooljian.

The case number on all documents filed with the Court should read as follows:

CV11- 5525 DSF (JCx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

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Bruce B. Brunda (SBN 28,497)
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STETINA BRUNDA GARRED & BRUCKER
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Aliso Viejo, CA 92656
Tel: (949) 855-1246; litigate@stetinalaw.com

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

INNOVA ELECTRONICS CORP., (see attached)

PLAINTIFF(S)

v.

LAUNCH TECHNOLOGY CO., LTD, (see attached)

DEFENDANT(S).

CASE NUMBER

CV 11-05525 DSF (JCx)

SUMMONS

TO: DEFENDANT(S): _____

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Bruce B. Brunda/Kit M. Stetina, whose address is _____. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: JUL - 5 2011

By: _____
Deputy Clerk

(Seal of the Court)



1191

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

ATTACHMENT TO SUMMONS

a Nevada corporation

Plaintiff

vs.

a Guangdong, China limited liability company; and

LAUNCH TECH, USA, a California corporation;
and DOES 1-10, inclusive

Defendants

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/> INNOVA ELECTRONICS CORP.		DEFENDANTS LAUNCH TECHNOLOGY CO., LTD, LAUNCH TECH, USA, and DOES 1-10, inclusive																									
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Bruce B. Brunda \ Kit M. Stetina Stetina, Brunda, Garred & Brucker 75 Enterprise, Suite 250, Aliso Viejo, CA 92656; 949-855-1246		Attorneys (If Known)																									
II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)		III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%"><thead><tr><th></th><th>PTF</th><th>DEF</th><th></th><th>PTF</th><th>DEF</th></tr></thead><tbody><tr><td>Citizen of This State</td><td><input type="checkbox"/> 1</td><td><input type="checkbox"/> 1</td><td>Incorporated or Principal Place of Business in this State</td><td><input type="checkbox"/> 4</td><td><input type="checkbox"/> 4</td></tr><tr><td>Citizen of Another State</td><td><input type="checkbox"/> 2</td><td><input type="checkbox"/> 2</td><td>Incorporated and Principal Place of Business in Another State</td><td><input type="checkbox"/> 5</td><td><input type="checkbox"/> 5</td></tr><tr><td>Citizen or Subject of a Foreign Country</td><td><input type="checkbox"/> 3</td><td><input type="checkbox"/> 3</td><td>Foreign Nation</td><td><input type="checkbox"/> 6</td><td><input type="checkbox"/> 6</td></tr></tbody></table>			PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																						
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																						
IV. ORIGIN (Place an X in one box only.) <input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge																											
V. REQUESTED IN COMPLAINT: <input checked="" type="checkbox"/> JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint.)																											
CLASS ACTION under F.R.C.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No MONEY DEMANDED IN COMPLAINT: \$ <u>Proof at Trial</u>																											
VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) Federal Patent Infringement 35 U.S.C. §§1 et seq.; 28 U.S.C. §§1331, 1338(a) and (b);																											
VII. NATURE OF SUIT (Place an X in one box only.)																											
OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 535 General Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) (405(g)) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609																						

CV 11-05525 DSF (JCx)

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
 If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
 If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	LAUNCH TECHNOLOGY CO., LTD - China LAUNCH TECH, USA - Los Angeles

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County and throughout the United States	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): R. D. Deane Date July 1, 2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))